

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ARLINDO DA SILVA and JEANDERSON DA SILVA,	:	05-CV-2989(ARR)(MDG)
	:	
Plaintiffs,	:	
-against-	:	<u>NOT FOR</u>
	:	<u>PRINT OR ELECTRONIC</u>
BENNET STREET DEVELOPMENT CORP. and	:	<u>PUBLICATION</u>
WILLIAM RADU, individually ,	:	
	:	<u>ORDER</u>
Defendants.	:	
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ROSS, United States District Judge:

The court has received the Report and Recommendation on the instant case dated September 24, 2010 from the Honorable Marilyn D. Go, United States Magistrate Judge. No objections have been filed. Accordingly, the court has reviewed the Report and Recommendation for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05 Civ. 339 (NGG) (AKT), 2007 U.S. Dist. LEXIS 50074, at *6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535 (DAB), 2007 U.S. Dist. LEXIS 15673, at *1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error. I hereby adopt the Report and Recommendation, in its entirety, as the opinion of the Court pursuant to 28 U.S.C. § 636(b)(1).

Therefore, the court awards plaintiffs default judgments in the following amounts. Arlindo Da Silva is awarded \$12,148.81 in unpaid wages, overtime, and spread of hours pay, plus \$3,262.85 in prejudgment interest (consisting of \$3,251.01 from October 4, 2004 to October 13, 2010, plus \$11.84 from October 13, 2010 to today, October 21, 2010), for a total of

\$15,411.66. Jeanderson Da Silva is awarded \$8,538.02 in unpaid wages, overtime, and spread of hours pay, plus \$1,963.88 in prejudgment interest (consisting of \$1,956.76 from October 4, 2004 to October 13, 2010, plus \$7.12 from October 13, 2010 to today, October 21, 2010), for a total of \$10,501.90. The court also awards plaintiffs attorneys' fees of \$18,297.50 and costs of \$590.00.

SO ORDERED.

/Signed by Judge Ross/

Allyne R. Ross
United States District Judge

Dated: October 21, 2010
Brooklyn, New York

SERVICE LIST:

Plaintiffs' Attorney

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Defendants

Bennett Street Development Corporation

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cc: **Magistrate Judge Marilyn D. Go**